

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

MARGARET HADLEY, HAROLD)
PERINE, and WILLIE MAE SMITH,)
)
Plaintiffs,)
)
vs.) Civil Action No.: 05-470-BH-C
)
MERCK & CO., INC.; et al.,)
)
Defendants.)

ORDER

This matter is before the Court on Plaintiffs' Motion (Doc. 8) to Remand. Currently, the Court has Stayed all proceedings regarding this matter pending notification of whether it is to be transferred to the Eastern District of Louisiana as part of *In re Vioxx Products Liab. Litig.* (MDL-1657). Plaintiffs, however, ask that this Court not Stay its Motion to Remand as removal to any federal district court is inappropriate because this matter lacks complete diversity of citizenship necessary for federal jurisdiction. After properly reviewing Plaintiffs' contentions, the Court declines to rule on the Motion to Remand, finding that it is to be **STAYED**, along with any other issues in this case, pending a determination by the MDL Panel on whether it is to be transferred to the Eastern District of Louisiana.

So ORDERED, this 23rd day of August, 2005.

s/ W. B. Hand
SENIOR DISTRICT JUDGE